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SUBJECT: Nairobi Mini-Dublin Group Views on Kenya

¶11. (U) SUMMARY: Nairobi Mini-Dublin Group consensus is that Kenya is increasingly becoming a major transit route for cocaine and heroin, from South America and Asia, to European and other Western markets. Corruption, weak law enforcement, and lack of political will continue to make Kenya an attractive option to drug traffickers and other organized criminals associated with them. Traffickers are employing some new tactics to get their product past customs controls.
END SUMMARY

¶12. (SBU) Nairobi's Mini-Dublin Group convened on June 7 to discuss the status of counternarcotics efforts in Kenya. The Nairobi Mini-Dublin Group consists of the European Commission and the Member States of the EU, the United States, Canada, Australia, Japan and Norway.

¶13. (U) BACKGROUND: Kenya's location between Europe and South Asia has made it a long and established trading route between the two regions. This facilitates both the legal and illegal transportation of goods to Europe and beyond. Mombasa is a major regional maritime port of entry. Nairobi is East Africa's main regional hub. Additionally, long and porous coastal and land borders allow numerous unregulated crossings.

¶14. (U) It is estimated that since 2004 cocaine has overtaken heroin as the main illicit narcotic being trafficked through Kenya, with quantities being in the multiple tons per year. European law enforcement agencies have reported a 10-fold increase in cocaine seizures originating from the country since early 2005. In 2004, 1.15 tons of cocaine were seized in Kenya; the largest ever-recorded in Africa. Recent figures have also shown that over 160 kg of cocaine has been seized in 2006 from couriers traveling by air from Nairobi to a range of European cities, plus to America and Australia. These courier seizures alone are estimated to be worth over \$10 million USD.

¶15. (U) In addition, there is increasing evidence of drug use in Kenya. Authorities are concerned about the transmission of HIV through the sharing of syringes.

¶16. (U) A significant number of Kenyan farmers illegally grow cannabis on a commercial basis for a domestic market. Law Enforcement officials work with the Kenyan Wildlife Service to conduct aerial surveys of areas of cultivation.

Kenya's anti-drug Strategy

¶17. (U) Kenyan law enforcement agencies rely on the 1994 Narcotic Drugs and Psychotropic Substances Act for enforcement and interdiction activities. Revisions to the Act on the seizure, analysis and disposal of illegal drugs

were implemented in March 2006. The National Agency for the Campaign Against Drug Abuse (NACADA) has recently been reformed which is hoped will lead to improvements in their role in combating drug abuse. NACADA is leading inter-agency efforts to develop a National Drug Control Strategy for Kenya.

¶18. (U) Kenya is party to the 1988 UN Drug Convention, the 1961 UN Single Convention and its 1972 Protocol and the 1971 UN Convention on Psychotropic Substances. Kenya is also party to the UN Corruption Convention and to the UN Convention Against Transnational Organized Crime and its three protocols. Kenya does not have an effective legal regime to combat money laundering. The Government has no regulations to freeze or seize criminal accounts and has not passed a law that specifically outlaws money laundering.

Mini-Dublin Group Assessment

¶19. (U) The mini-Dublin group assessed that there is little political will to tackle the growing issue of drugs trafficking into and through Kenya. This lack of will is demonstrated by the Government's unwillingness to act effectively against grand corruption and dismantle the culture of impunity that exists to protect the guilty parties.

¶10. (U) It is clear that Kenya is increasingly becoming a major transit route for cocaine and heroin because counter narcotics law enforcement activities in traditional transit routes such as West Africa are displacing the trade to less traditional ones.

¶11. (U) The dual but linked problems of widespread corruption and weak law enforcement agencies in the country has made, and will continue to make, Kenya an attractive option to drugs traffickers and other organized criminals associated with them. Corruption specifically allows organized criminals to operate in a less risky environment, as they are able to buy both political and law enforcement protection and influence.

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